



National Highway Traffic Safety Administration

[Docket No. NHTSA-2020-0031]

Agency Information Collection Activities; Notice and Request for Comment; Motorcycle Helmets (Labeling)

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Notice and request for comments on a reinstatement of a previously approved collection of information.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (PRA), this notice announces that the Information Collection Request (ICR) summarized below is being submitted to the Office of Management and Budget (OMB) for review and approval. The ICR for motorcycle helmet labeling describes the nature of the information collection and its expected burden. A *Federal Register* Notice with a 60-day comment period soliciting comments on the following information collection was published on May 12, 2021.

DATES: Comments must be submitted on or before [INSERT DATE 30 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Written comments and recommendations for the proposed information collection, including suggestions for reducing burden, should be submitted to the Office of Management and Budget at www.reginfo.gov/public/do/PRAMain. To find this particular information collection, select “Currently under Review – Open for Public Comment” or use the search function.

FOR FURTHER INFORMATION CONTACT: For additional information or access to background documents, contact Ms. Cristina Echemendia, U.S. Department of Transportation, NHTSA, 1200 New Jersey Avenue, S.E. West Building Room W43-447, NRM-130, Washington, D.C. 20590. Ms. Cristina Echemendia’s telephone number is 202-366-6345 and

fax number is 202-366-7002. Please identify the relevant collection of information by referring to its OMB Control Number.

SUPPLEMENTARY INFORMATION: Under the PRA (44 U.S.C. 3501 *et seq.*), a Federal agency must receive approval from the Office of Management and Budget (OMB) before it collects certain information from the public, and a person is not required to respond to a collection of information by a Federal agency unless the collection displays a valid OMB control number. In compliance with those requirements, this notice announces that the following information collection request is being submitted to OMB.

Title: Motorcycle Helmets (Labeling).

OMB Control Number: 2127–0518.

Form Number: N/A.

Type of Request: Reinstatement of previously approved collection of information.

Type of Review Requested: Regular.

Length of Approval Requested: Three years.

Summary of the Collection of Information:

The National Traffic and Motor Vehicle Safety Act, at 49 U.S.C. 30111, authorizes the Secretary of Transportation (NHTSA by delegation) to issue Federal Motor Vehicle Safety Standards (FMVSS) that set performance standards for motor vehicles and items of motor vehicle equipment. Vehicle and equipment manufacturers must certify that their vehicles and equipment comply with the safety standards. Moreover, under 49 U.S.C. 30117, the Secretary (NHTSA by delegation) is also authorized to require manufacturers to provide information to first purchasers of motor vehicles or motor vehicle equipment when the vehicle equipment is purchased, in the form of printed matter placed in the vehicle or attached to the motor vehicle or motor vehicle equipment.

Using this authority, NHTSA issued the initial FMVSS No. 218 in 1974. Motorcycle helmets are devices used to protect motorcyclists from head injury in motor vehicle crashes.

Manufacturers must label every helmet produced to indicate that the helmet is in compliance with the requirements of the standard. The certification label consists of the symbol “DOT,” the term “FMVSS No. 218,” the word “CERTIFIED,” the precise model designation, and the manufacturer’s name and/or brand on the outer shell of the helmet towards the posterior bottom edge. Manufacturers are also required to label every helmet to provide helmet owners with important safety information including manufacturer’s name, discrete size, month and year of manufacture, and specific instructions to the purchaser. FMVSS No. 218 S5.6 requires that each helmet shall be labeled permanently and legibly in a manner such that the label(s) can be read easily without removing padding or any other permanent part.

Description of the Need for the Information and Proposed Use of the Information:

The labeling requirement in the standard supports the Department of Transportation’s strategic goal in safety. NHTSA uses this information for enforcement purposes to ensure that manufacturers certify compliance with the Standard. State and local law enforcement use this information to enforce helmet-use laws, and consumers use the information to make decisions when purchasing motorcycle helmets.

60-Day Notice:

A Federal Register notice with a 60-day comment period soliciting public comments on the following information collection was published on May 12, 2021(86 FR 26136). The closing date for comments was July 12, 2021. The agency received no comments.

Affected Public: Motorcycle helmet manufacturers.

Estimated Number of Respondents: 45

Frequency: On occasion.

Number of Responses: 3,250,000

Estimated Total Annual Burden Hours: 9,100

Estimated Total Annual Burden Cost: \$1,137,500

The 45 respondents (helmet manufacturers) produce a total of 3,250,000 annual responses (3,250,000 motorcycle helmets are manufactured annually). A manufacturer spends approximately 10 seconds per response for labeling. The estimated total annual burden hours for helmet manufacturers to label motorcycle helmets as required in FMVSS No. 218 is 9,100 burden hours ($3,250,000 \times 10$ seconds, rounded).

Estimated Total Annual Burden Cost: \$1,137,500

NHTSA estimates that the printing and material cost per helmet is \$0.35. Therefore, the estimated total annual burden cost is \$1,137,500 (3,250,000 helmets produced per year \times \$0.35).

The total estimated annual burden costs are detailed in the table below:

Number of Respondents (Helmet Manufacturers)	No. of Helmets Produced Annually per Respondent	Printing and Material Cost per Helmet	Annual Printing and Material Cost per Manufacturer	Total Number of Helmets Produced Annually	Estimated Total Annual Printing and Material Costs
45	72,000 (Rounded)	\$0.35	\$25,200.00 (Rounded)	3,250,000	\$1,137,500

PUBLIC COMMENTS INVITED: You are asked to comment on any aspects of this information collection, including: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

AUTHORITY: The Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended; Delegation of Authority at 49 CFR 1.95, and DOT Order 1351.29.

Raymond R. Posten,
Associate Administrator for Rulemaking.

[Billing Code: 4910-59-P]

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